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ART UNIT	PAPER NUMBER
2154	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No.	Applicant(s)	
	10/525,471	GENTRIC ET AL.	
	Examiner	Art Unit	
	ASHOK B. PATEL	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 are subject to examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

3. Claim Rejections - 35 USC § 101

Applicant's Argument:

"In response to the § 101 rejection of claim 8, Applicant has amended claim 8 to recite a "computer program on a signal-bearing medium". Applicant submits that a "signal-bearing medium" is recognized as statutory subject matter as is evidenced by a search of the USPTO's own database, which includes over 250 issued patents that claim a "signal-bearing medium." *See,* e.g., U.S. Patent No 7,072,824, U.S. Patent No. 7,027,830 and U.S. Patent No. 6,880,040. Therefore, Applicant requests that the § 101 rejection of claim 8 be withdrawn."

Examiner's response:

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim recites "on a signal-bearing medium" which Examiner was not able to locate in the specification. Please advice.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claim 8 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 8 recites " a computer program on a signal-bearing medium , the program comprising a set of instructions which, when loaded into a processor or a computer, can be reasonably interpreted by one of ordinary skill in the art as software, per se, and therefore not tangibly embodied in a manner so as to be executable.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Klemets et al. (hereinafter Klemets) (US 20030236912 A1)

Referring to claim 1,

Klemets teaches a method of streaming multimedia data from a server to a client over a network (Fig.1) having a variable bandwidth (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104.","The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language."), the multimedia data represented by a set of streams having various predetermined bit rates (para. [0032], "For example, there may be multiple available video streams encoded at different bit rates (i.e., with different quality) and the client 106 may choose which one to receive."), with a subset of streams of the set of streams having bit rates compatible with a measured bandwidth of the network (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104.","The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language."), the method being further characterized in that it comprises the steps of

responsive to descriptions of each stream of the set of streams, configuring the client so that the client can decode all the streams within the set of streams (para. [0031], "At 110, the client 106 sends an RTSP DESCRIBE request to the media server

104. At 112, the server 104 responds to the RTSP DESCRIBE request with an SDP message. The SDP message includes the streaming media format file header and the content description list. Clients usually retrieve at least one RTSP uniform resource locator (URL) for streaming content from an SDP record retrieved from the server 104 by means of a DESCRIBE request."),playing all the streams within the set of streams (Fig. 4, para. [0041] Referring next to FIG. 3, an exemplary flow diagram illustrates the interaction between the client 106 and the server 104 to initiate a streaming media session. In the exemplary embodiment of FIG. 3, the server 104 implements RTSP. RTSP allows the client 106 to request the delivery of a subset of the streams in the file. The client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. When the server 104 receives a RTSP DESCRIBE request, the server 104 responds by encapsulating the streaming media format header within a description message (e.g., an SDP message) and transmitting the description message via a description protocol (e.g., SDP) to the client 106. In RTSP (as defined in RFC 2326), the description message is referred to as a presentation description. The header is inserted in the description message in such a way that it is ignored by clients that do not have logic to understand the header (see FIG. 4). Other information such as the content description list is also included in the session description message (see FIG. 4). The SDP message lists each stream that is contained in the streaming media format file. SDP establishes a separate URL for each stream. In one embodiment, the stream URL is considered to be a stream identifier. In other embodiments, the stream identifier is an integer. The stream URL can be used by

the client 106 to request delivery of the stream via a playback request (e.g., using the RTSP "SETUP" request). For each such URL, the SDP message also specifies the corresponding streaming media format stream identifier. This establishes a one-to-one mapping between the stream URL and the stream identifier.), muting all the streams within the set of streams, except the subset of streams, and decoding the subset of streams by the client (para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been

selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations.")

Referring to claim 2,

Klemets teaches the method of streaming multimedia data according to claim 1, wherein the step of muting all the streams except the subset of streams is performed by the server on a request from the client in accordance with the MUTE/UNMUTE extension of the Real Time Streaming Protocol (para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely

matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations." Note: Selection inherently performs "MUTE/UNMUTE.")

Referring to claim 3,

Klemets teaches a server for serving a client with a subset of streams over a network having a variable bandwidth (Fig.1, para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language."), said server comprising means for selecting the subset of streams within a set of streams having various predetermined bit rates (para. [0032], "For example, there may be multiple available video streams encoded at different bit rates (i.e., with different quality)

and the client 106 may choose which one to receive."), means for playing all the streams within the set of streams and means for muting all the streams within the set of streams (Fig. 4, para. [0041] Referring next to FIG. 3, an exemplary flow diagram illustrates the interaction between the client 106 and the server 104 to initiate a streaming media session. In the exemplary embodiment of FIG. 3, the server 104 implements RTSP. RTSP allows the client 106 to request the delivery of a subset of the streams in the file. The client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. When the server 104 receives a RTSP DESCRIBE request, the server 104 responds by encapsulating the streaming media format header within a description message (e.g., an SDP message) and transmitting the description message via a description protocol (e.g., SDP) to the client 106. In RTSP (as defined in RFC 2326), the description message is referred to as a presentation description. The header is inserted in the description message in such a way that it is ignored by clients that do not have logic to understand the header (see FIG. 4). Other information such as the content description list is also included in the session description message (see FIG. 4). The SDP message lists each stream that is contained in the streaming media format file. SDP establishes a separate URL for each stream. In one embodiment, the stream URL is considered to be a stream identifier. In other embodiments, the stream identifier is an integer. The stream URL can be used by the client 106 to request delivery of the stream via a playback request (e.g., using the RTSP "SETUP" request). For each such URL, the SDP message also specifies the corresponding streaming media format

stream identifier. This establishes a one-to-one mapping between the stream URL and the stream identifier.), except the subset of streams wherein the server selects the subset of streams that have bit rates compatible with a measured bandwidth of the network (para. [0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language."), and wherein the server provides descriptions of all the streams of the set of streams to the client to configure the client so that the client can decode all the streams within the set of streams (para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen

content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations.")

Referring to claim 4,

Klemets teaches a server as claimed in claim 3, wherein the means for selecting the subset of streams comprise means for measuring the network bandwidth (Fig.1, para. [0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language.")

Referring to claim 5,

Klemets teaches a server as claimed in claim 3, wherein the means for selecting the subset of streams are controlled by a request from the client that identifies the

subset of streams, the request from the client being in accordance with the MUTE/UNMUTE extension of the Real Time Streaming Protocol (para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the

selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations." Note: Selection inherently performs "MUTE/UNMUTE.").

Referring to claim 6,

Klemets teaches a client that decodes a subset of streams within a set of streams having various predetermined bit rates, said streams being sent over a network having a variable bandwidth, said client comprising means a controller to configure the client in order to be able to decode all the streams within the set of streams, select the subset of streams having bit rates compatible with the network a measured bandwidth of the network, and generate a request to mute all the streams within the set of streams, except the subset of streams, the request configured to be transmitted to a server over the network(para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an

Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations." Note: Selection inherently performs "MUTE/UNMUTE.")

Referring to claim 7,

Klemets teaches a telecommunication system (Fig.1) comprising a server for serving a client (Fig.1) with a subset of streams, said server comprising means for selecting the subset of streams within a set of streams having various predetermined bit rates, means for playing all the streams within the set of streams and means for muting streams (Fig. 4, para. [0041] Referring next to FIG. 3, an exemplary flow diagram illustrates the interaction between the client 106 and the server 104 to initiate a streaming media session. In the exemplary embodiment of FIG. 3, the server 104

implements RTSP. RTSP allows the client 106 to request the delivery of a subset of the streams in the file. The client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. When the server 104 receives a RTSP DESCRIBE request, the server 104 responds by encapsulating the streaming media format header within a description message (e.g., an SDP message) and transmitting the description message via a description protocol (e.g., SDP) to the client 106. In RTSP (as defined in RFC 2326), the description message is referred to as a presentation description. The header is inserted in the description message in such a way that it is ignored by clients that do not have logic to understand the header (see FIG. 4). Other information such as the content description list is also included in the session description message (see FIG. 4). The SDP message lists each stream that is contained in the streaming media format file. SDP establishes a separate URL for each stream. In one embodiment, the stream URL is considered to be a stream identifier. In other embodiments, the stream identifier is an integer. The stream URL can be used by the client 106 to request delivery of the stream via a playback request (e.g., using the RTSP "SETUP" request). For each such URL, the SDP message also specifies the corresponding streaming media format stream identifier. This establishes a one-to-one mapping between the stream URL and the stream identifier." para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client

106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations."), a network having a variable bandwidth (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it

wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language.")and a client decodes the subset of streams, said client comprising configuring means for configuring the client to be able to decode all the streams within the set of streams (para. [0031], "At 110, the client 106 sends an RTSP DESCRIBE request to the media server 104. At 112, the server 104 responds to the RTSP DESCRIBE request with an SDP message. The SDP message includes the streaming media format file header and the content description list. Clients usually retrieve at least one RTSP uniform resource locator (URL) for streaming content from an SDP record retrieved from the server 104 by means of a DESCRIBE request."), means for selecting a the subset of streams having bit rates compatible with ~~a~~ measured bandwidth of the network and means for requesting that the server mute all the streams within the set of streams, except the subset of streams (para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an

Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations.")

Referring to claim 8,

Claim 8 is a claim to a computer program comprising a set of instructions which, when loaded into a processor or a computer, causes the processor or the computer to carry out the method as claimed in Claim 1. Therefore claim 8 is rejected for the reasons set forth for claim 1.

Referring to claim 9,

Klemets teaches a method of streaming multimedia data according to claim 1, wherein the step of configuring the client so that the client can decode all the streams within the set of streams includes the server sending the descriptions of the set of

streams to the client responsive to a request from the client to the server in accordance with the DESCRIBE command of the Real Time Streaming Protocol (Fig. 4, para. [0041] Referring next to FIG. 3, an exemplary flow diagram illustrates the interaction between the client 106 and the server 104 to initiate a streaming media session. In the exemplary embodiment of FIG. 3, the server 104 implements RTSP. RTSP allows the client 106 to request the delivery of a subset of the streams in the file. The client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. When the server 104 receives a RTSP DESCRIBE request, the server 104 responds by encapsulating the streaming media format header within a description message (e.g., an SDP message) and transmitting the description message via a description protocol (e.g., SDP) to the client 106. In RTSP (as defined in RFC 2326), the description message is referred to as a presentation description. The header is inserted in the description message in such a way that it is ignored by clients that do not have logic to understand the header (see FIG. 4). Other information such as the content description list is also included in the session description message (see FIG. 4). The SDP message lists each stream that is contained in the streaming media format file. SDP establishes a separate URL for each stream. In one embodiment, the stream URL is considered to be a stream identifier. In other embodiments, the stream identifier is an integer. The stream URL can be used by the client 106 to request delivery of the stream via a playback request (e.g., using the RTSP "SETUP" request). For each such URL, the SDP message also specifies the corresponding streaming media format

stream identifier. This establishes a one-to-one mapping between the stream URL and the stream identifier.").

Referring to claim 10,

Klemets teaches a method of streaming multimedia data according to claim 1, wherein the client includes a plurality of decoders each of which is configured to decode one of the streams of the set of streams (Para. [0133], "asf" file. Para. [0010], The header object of an ASF file stores information as metadata that is needed by a client to decode and render the captured data.").

Referring to claim 11,

Klemets teaches a method of streaming multimedia data according to claim 1, further comprising, responsive to a change in the measured bandwidth of the network, selecting a second subset of streams of the set of streams that have rates compatible with the measured bandwidth of the network, muting all the streams within the set of streams except the second subset of streams, and decoding the second subset of streams by the client, wherein switching from decoding the subset of streams to decoding the second subset of steams does not require reconfiguration of the client (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104.","The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language.").

Referring to claim 12,

Klemets teaches a method of streaming multimedia data according to claim 1, wherein the client measures the bandwidth of the network, selects the subset of streams compatible with the measured bandwidth, and requests that the server mute all the streams of the set of streams except the subset of streams, the request from the client to the server being in accordance with the MUTE/UNMUTE extension of the Real Time Streaming Protocol (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language." para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content

description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations." Note: Selection inherently performs "MUTE/UNMUTE.").

Referring to claim 13,

Klemets teaches a server as claimed in claim 3, wherein the server provides the descriptions of all the streams of the set of streams to the client responsive to a request from the client in accordance with the DESCRIBE command of the Real Time Streaming Protocol (Fig. 4, para. [0041] Referring next to FIG. 3, an exemplary flow diagram illustrates the interaction between the client 106 and the server 104 to initiate a streaming media session. In the exemplary embodiment of FIG. 3, the server 104 implements RTSP. RTSP allows the client 106 to request the delivery of a subset of the streams in the file. The client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. When the

server 104 receives a RTSP DESCRIBE request, the server 104 responds by encapsulating the streaming media format header within a description message (e.g., an SDP message) and transmitting the description message via a description protocol (e.g., SDP) to the client 106. In RTSP (as defined in RFC 2326), the description message is referred to as a presentation description. The header is inserted in the description message in such a way that it is ignored by clients that do not have logic to understand the header (see FIG. 4). Other information such as the content description list is also included in the session description message (see FIG. 4). The SDP message lists each stream that is contained in the streaming media format file. SDP establishes a separate URL for each stream. In one embodiment, the stream URL is considered to be a stream identifier. In other embodiments, the stream identifier is an integer. The stream URL can be used by the client 106 to request delivery of the stream via a playback request (e.g., using the RTSP "SETUP" request). For each such URL, the SDP message also specifies the corresponding streaming media format stream identifier. This establishes a one-to-one mapping between the stream URL and the stream identifier.").

Referring to claim 14,

Klemets teaches a client as claimed in claim 6, further comprising a plurality of decoders each of which is configured by the means for configuring to decode one of the streams of the set of streams (Para. [0133], "asf" file. Para. [0010], The header object of an ASF file stores information as metadata that is needed by a client to decode and render the captured data.")

Referring to claim 15,

Klemets teaches a client as claimed in claim 14, wherein the plurality of decoders are configured responsive to descriptions of all the streams of the set of streams being provided to the client by a server, the descriptions being provided in response to a request by the client in accordance with the DESCRIBE command of the Real Time Streaming Protocol (Fig. 4, para. [0041] Referring next to FIG. 3, an exemplary flow diagram illustrates the interaction between the client 106 and the server 104 to initiate a streaming media session. In the exemplary embodiment of FIG. 3, the server 104 implements RTSP. RTSP allows the client 106 to request the delivery of a subset of the streams in the file. The client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. When the server 104 receives a RTSP DESCRIBE request, the server 104 responds by encapsulating the streaming media format header within a description message (e.g., an SDP message) and transmitting the description message via a description protocol (e.g., SDP) to the client 106. In RTSP (as defined in RFC 2326), the description message is referred to as a presentation description. The header is inserted in the description message in such a way that it is ignored by clients that do not have logic to understand the header (see FIG. 4). Other information such as the content description list is also included in the session description message (see FIG. 4). The SDP message lists each stream that is contained in the streaming media format file. SDP establishes a separate URL for each stream. In one embodiment, the stream URL is considered to be a stream identifier. In other embodiments, the stream identifier is an

integer. The stream URL can be used by the client 106 to request delivery of the stream via a playback request (e.g., using the RTSP "SETUP" request). For each such URL, the SDP message also specifies the corresponding streaming media format stream identifier. This establishes a one-to-one mapping between the stream URL and the stream identifier.")

Referring to claim 16,

Klemets teaches a telecommunication system as claimed in claim 7, wherein the client sends a request in accordance with the MUTE/UNMUTE extension of the Real Time Streaming Protocol to the server to request that the server mute all the streams within the set of streams except the subset of streams (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language." para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain

metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations." Note: Selection inherently performs "MUTE/UNMUTE.")

Referring to claim 17,

Klemets teaches a telecommunication system as claimed in claim 7, wherein the client further includes a plurality of decoders each of which is configured by the means for configuring to decode one of the streams of the set of streams (Para. [0133], "asf" file. Para. [0010], The header object of an ASF file stores information as metadata that is needed by a client to decode and render the captured data.")

Referring to claim 18,

Klemets teaches a telecommunication system as claimed in claim 17, wherein the plurality of decoders are configured responsive to descriptions of all the streams of the set of streams being provided to the client by the server, the descriptions being provided in response to a request by the client in accordance with the DESCRIBE command of the Real Time Streaming Protocol para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each

stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations.")

Referring to claim 19,

Klemets teaches a telecommunication system as claimed in claim 7, wherein the client measures the bandwidth of the network, selects the subset of streams compatible with the measured bandwidth, and requests that the server mute all the streams of the set of streams except the subset of streams, the request from the client to the server being in accordance with the MUTE/UNMUTE extension of the Real Time Streaming Protocol (para.[0044], "The client 106 may send an RTSP request to dynamically measure the connection bandwidth to the server 104."," The client 106 examines the streaming media format file header to decide which streams it wants to select. Several factors influence the client's selection of the streams including, but not limited to, the connection bandwidth and the user's language." para. [0045] In the streaming media format file header, each stream is represented by its stream identifier. Hence, the result of the selection process is a list of stream identifiers for the streams that were chosen. The description message provides a mapping from each stream identifier to a URL. Using this mapping, the client 106 sends a playback request (e.g., an RTSP SETUP request)

for each stream that the client 106 has chosen. The client 106 also selects a content description from the content description list that relate to the selected media streams. For example, the client 106 may select a content description that most closely matches a user's language preference to display certain metadata items from that list in a user interface for the user. Alternatively or in addition, the client 106 specifies a desired language in an Accept-Language header that the client 106 includes in the DESCRIBE request. The server 104 selects the content description that most closely matches the requested language, and includes the chosen content description in the SDP message sent to the client 106. The client 106 may issue a separate RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Alternatively, the play request is included with the playback request with the selected stream identifiers. That is, the client 106 may send a separate PLAY command for each stream that has been selected, if the server 104 supports this type of PLAY command. Alternatively, the client 106 may send a PLAY request using the URL that controls the presentation as a whole. This starts playback of all the selected streams. In response to the playback request, the client 106 receives the selected streams (e.g., via RTP) from the server 104 and renders or otherwise processes the received streams in the UI for the user. For example, the client player UI may render video, audio, text, and/or animations." Note: Selection inherently performs "MUTE/UNMUTE.")

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan A. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashok B. Patel/

Primary Examiner, Art Unit 2154